

**UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA**

Gilbert Davis,

Civil No. 10-3035 (DWF/JJK)

Plaintiff,

v.

**ORDER ADOPTING REPORT
AND RECOMMENDATION**

Mpls. Public School,

Defendant.

Gilbert Davis, *Pro Se*, Plaintiff.

The above matter comes before the Court upon the Report and Recommendation of United States Magistrate Judge Jeffrey J. Keyes dated August 31, 2010. No objections have been filed to that Report and Recommendation in the time period permitted.

Based upon the Report and Recommendation of the Magistrate Judge, upon all of the files, records and proceedings herein, the Court now makes and enters the following Order.

IT IS HEREBY ORDERED that:

1. Plaintiff's application for leave to proceed *in forma pauperis*, (Doc. No. [2]), is **DENIED**.
2. This action is **DISMISSED WITHOUT PREJUDICE**.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: October 1, 2010

s/Donovan W. Frank
DONOVAN W. FRANK
United States District Judge